

The Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

VIVIANA HUCKINS,  
aka VIVIANA TINOCO,

Defendant.

NO. CR23-062-RSM

**ORDER OF FORFEITURE**

THIS MATTER comes before the Court on the United States' Motion for Order of Forfeiture ("Motion") seeking to forfeit, to the United States, Defendant Viviana Huckins's (aka, Viviana Tinoco's) interest in the following property:

- A judgment for a sum of money (also known as a forfeiture money judgment) in the amount of \$393,422, representing the proceeds Defendant obtained as a result of her *Wire Fraud* scheme, in violation of 18 U.S.C. § 1343.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS entry of an Order of Forfeiture is appropriate for the following reasons:

///

- 1 • The proceeds of *Wire Fraud*, in violation of 18 U.S.C. § 1343, are
- 2 forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C.
- 3 § 2461(c);
- 4 • In her Plea Agreement, Defendant agreed to forfeit her interest in the
- 5 above-identified \$393,422 forfeiture money judgment pursuant to
- 6 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), as it represents
- 7 the proceeds she obtained as a result of the *Wire Fraud* scheme to which
- 8 she entered a guilty plea (Dkt. No. 8, ¶ 14);
- 9 • Forfeiture of this \$393,422 sum is separate and distinct from any restitution
- 10 ordered in this case. The United States has agreed, however, that it will
- 11 request that the Attorney General apply any amounts it collects toward
- 12 satisfaction of the \$393,422 forfeiture money judgment to the restitution
- 13 that is ordered and that any amount Defendant pays toward restitution will
- 14 be credited against this \$393,422 forfeiture money judgment (Dkt. No. 8,
- 15 ¶ 14); and
- 16 • This \$393,422 forfeiture money judgment is personal to Defendant;
- 17 pursuant to Federal Rule of Criminal Procedure (“Fed. R. Crim. P.”)
- 18 32.2(c)(1), no third-party ancillary process is required before forfeiting it.
- 19

20 NOW, THEREFORE, THE COURT ORDERS:

- 21 1. Pursuant to 18 U.S.C. § 981(a)(1)(C), by way of 28 U.S.C. § 2461(c), and
- 22 Defendant’s Plea Agreement, Defendant’s interest in the above-identified \$393,422
- 23 judgment for a sum of money is fully and finally forfeited, in its entirety, to the United
- 24 States;
- 25 2. Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)–(B), this Order will become
- 26 final as to Defendant at the time she is sentenced; it will be made part of the sentence;
- 27 and it will be included in the judgment;

1           3.     No right, title, or interest in the identified \$393,422 forfeiture money  
2 judgment exists in any party other than the United States;

3           4.     Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy this \$393,422  
4 forfeiture money judgment, in whole or in part, the United States may move to amend  
5 this Order, at any time, to include substitute property having a value not to exceed  
6 \$393,422; and

7           5.     The Court will retain jurisdiction in this case for the purpose of enforcing  
8 this Order, as necessary.

9  
10           IT IS SO ORDERED.

11  
12           DATED this 24<sup>th</sup> day of July, 2023.

13  
14           

15           RICARDO S. MARTINEZ  
16           UNITED STATES DISTRICT JUDGE

17  
18           Presented by:

19           s/ Jehiel I. Baer  
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